

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO THE CASE(S)
ON THE ATTACHED EXHIBIT(S)

ORDER

(Dismissing Ethicon defendants with Prejudice
and possible transfer of case(s))

Pending in MDL 2327, 2:12-md-2327 [ECF No. 7767] is a Joint Motion to Dismiss Defendants with Prejudice filed by plaintiff(s), identified in Exhibit(s) A, and Johnson & Johnson, Ethicon, Inc. and/or Ethicon LLC (collectively referred to as “Ethicon”). The Motion seeks an order (1) granting dismissal of the Ethicon defendants in these actions(s) with prejudice.

For any case(s) on the attached exhibit(s) that was subject to the Pretrial Order (Docket Control Order) entered on January 30, 2018, as amended on June 13, 2018 (hereinafter collectively referred to as the “Omnibus PTO”) and is being transferred by this order to C. R. Bard, Inc. MDL 2187, American Medical Systems, Inc. MDL 2325, Boston Scientific Corporation MDL 2326 or Ethicon, Inc. MDL 2327, the court will no longer direct the Clerk to file in each individual case, the Omnibus PTO that corresponds to the MDL in which the case is being transferred.¹ Because all deadlines in the Omnibus PTO were the same across the MDLs cited above and all deadlines have since passed, the court finds it unnecessary to docket the corresponding Omnibus PTO for the MDL to which the case is being transferred. Any remaining provisions of the Omnibus PTO continue to apply.

The court **ORDERS** that:

¹ The Docket Control Orders entered in MDL 2187 – Wave 7, MDL 2325 – Wave 3, MDL 2326 – Wave 4 and MDL 2327 – Wave 8, on January 30, 2018 (as amended on June 13, 2018), set identical discovery dates, and pretrial motion dates. The Docket Control Orders were identical except for the necessary changes to make it applicable to each MDL.

- (1) the Motion to Dismiss with Prejudice is **GRANTED**;
- (2) the Ethicon defendants are **DISMISSED WITH PREJUDICE** from the action(s) listed on the attached Exhibit(s) A;
- (3) if there are no remaining defendants in a civil action, then (a) that civil action is dismissed with prejudice and stricken from the docket and (b) any pending motions are **DENIED** as moot; and,
- (4) if other defendants remain in a civil action, then those actions are **TRANSFERRED** to the next named MDL defendant listed on the docket sheet of the individual civil action(s).

The court **DIRECTS** the Clerk to:

- (1) dismiss the Ethicon defendants from the individual civil action(s) with prejudice;
- (2) if no other defendants remain in an individual action, then (a) strike the action from the docket, and (b) close the case;
- (3) if there are remaining defendants in an individual action, then (a) transfer the case to the next named MDL defendant listed on the docket sheet of the individual civil action(s), and (b) if the case has a Wave flag set from the Omnibus Order, then change the Wave flag to the appropriate Wave flag if necessary;
- (4) file a copy of this Order in MDL 2327 and in each individual case on the attached Exhibit(s); and,
- (5) send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 22, 2019

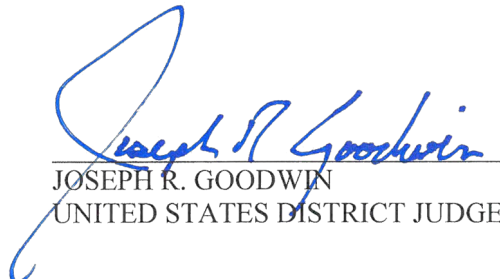

JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

<u>Civil Action No.</u>	<u>Case Name</u>
2:14-cv-07597	Annie Louise Pruetz v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:13-cv-25557	Barbara Kay Broussard; vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:15-cv-05685	Barrie Southall v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-01980	Brenda Sue Lindsey v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:13-cv-31963	Angela L Banks vs. Ethicon, Inc.; Johnson & Johnson; C. R. Bard, Inc.; Tissue Science Laboratories Limited
2:15-cv-07897	Brenda Weaver vs. Ethicon, Inc.; Johnson & Johnson; C.R. Bard, Inc.; Tissue Science Laboratories Limited
2:14-cv-07918	Camille T. Miron v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:15-cv-07596	Carol Coffey Jarvis vs. Ethicon, Inc.; Johnson & Johnson; C.R. Bard, Inc.; Tissue Science Laboratories Limited, Sofradim Production SAS
2:16-cv-01918	Carol Jenkins vs. Ethicon, Inc.; Johnson & Johnson; C.R. Bard, Inc.; Tissue Science Laboratories Limited
2:16-cv-08267	Cathy L. Browning vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-01910	Christine A. Eastburg v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:12-cv-05660	Cynthia Kaye Davis v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-08826	Dabney Kerr Smith v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-07405	Deborah Jean Bell; Richard G. Bell vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-09047	Debra Lyn Bell vs. Ethicon, Inc.; Johnson & Johnson; C. R. Bard, Inc.; Tissue Science Laboratories Limited
2:14-cv-08451	Diane F. Guthrie vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-09052	Dollie Mae Byrd vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:15-cv-05665	Dorothy Ann Reynolds vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-08132	Edna Katherine Shreffler vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation

2:13-cv-27036	Eileen R. Phelan vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:13-cv-25669	Gracie Ann Lacey vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation;
2:12-cv-03919	Ina Owens vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-07939	Janet J Scott vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-06017	Janice S. Van Bibber vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-07615	Jennifer Doska Thomas vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-05908	Jennifer J. Shillito vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:12-cv-08907	Joyce Arlene Davis vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-08167	Karen Lea McEvoy vs. Ethicon, Inc.; Ethicon, LLC; Boston Scientific Corporation
2:15-cv-03120	Linda Thompson-Herbert vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-06863	Lisa Apilado vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-08706	Loretta C. Hill vs. Ethicon, Inc.; Johnson & Johnson; C. R. Bard, Inc.; Tissue Science Laboratories Limited
2:14-cv-07426	Lorianna M. Easley vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-08906	Margaret W. Powers vs. Ethicon, Inc.; Johnson & Johnson; C.R. Bard, Inc.; Tissue Science Laboratories Limited
2:14-cv-07440	Marsha Luanne Henderson vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-06353	Melissa Hall vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation;
2:13-cv-29765	Melissa M. Marshall vs. Ethicon, Inc.; Johnson & Johnson; C.R. Bard, Inc.; Tissue Science Laboratories Limited
2:14-cv-26294	Michele Marie Hansen vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:15-cv-00693	Norma Ross vs. Ethicon, Inc.; Johnson & Johnson; C. R. Bard, Inc.; Sofradim Production SAS
2:14-cv-08430	Pamela S. Fellion v. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:12-cv-00751	Raquel De La Torre, et al v. Ethicon, Inc.; Johnson & Johnson; American Medical Systems, Inc.
2:14-cv-07421	Ruth Delores Cobern vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:15-cv-02616	Sherry L. Shackles vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation

2:14-cv-26701	Sue Ann Mackin v. Ethicon, Inc.; Johnson & Johnson; Tissue Science Laboratories Limited
2:14-cv-08699	Tammera Kaye Heiberger vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:16-cv-01973	Tammy Renee Gettys vs. Ethicon, Inc.; Johnson & Johnson; Boston Scientific Corporation
2:14-cv-08323	Tanya J. Benitez vs. Ethicon, Inc.; Boston Scientific Corporation